

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Students 4 Mental Health Justice,

Plaintiff,

v.

THE PRESIDENT AND FELLOWS OF
HARVARD COLLEGE a/k/a the Harvard
Corporation d/b/a Harvard University,

Defendant.

Civil Action No. 1:25-cv-11452

ASSENTED-TO MOTION FOR LEAVE TO FILE EXHIBITS UNDER SEAL

Pursuant to Rule 7.2, Defendant President and Fellows of Harvard College (“Harvard”) hereby moves for leave to file under seal certain documents in support of its pleadings to be filed today, October 27, 2025.

In support thereof, Harvard states as follows:

1. Plaintiff Students 4 Mental Health Justice (“S4MHJ”) has filed a Complaint alleging that Harvard’s policies and processes are discriminatory against students who have mental health disabilities. *See* ECF No. 1, *passim*.
2. The Complaint in this action includes allegations concerning the experiences of five current or former Harvard undergraduate students who allege that they have been discriminated against by Harvard on the basis of their mental health disabilities and/or as a result of experiencing mental health crises while attending Harvard. *See* ECF No. 1, ¶¶ 17-42.
3. The Complaint describes written agreements to engage in treatment entered into between Harvard and two of these students (Student B and Student E. *Id.*, ¶¶ 26-28, 38-41. These agreements are therefore “incorporated into the complaint by reference,” and the Court

may properly consider them on a motion to dismiss. *Tellabs, Inc. v. Makor Issues & Rights, Ltd.*, 551 U.S. 308, 322 (2007).

4. Harvard intends to submit these incorporated materials for the Court's consideration in connection with Harvard's pending Motion to Dismiss the Complaint and Memorandum in support of that Motion. *See* ECF No. 35.

5. The documents contain confidential, sensitive, and/or nonpublic information about the current or former undergraduate students referenced in the Complaint. Additionally, each document contains information protected against disclosure by the Family Education Rights and Privacy Act ("FERPA").

6. Harvard accordingly moves to submit under seal Student B and Student E's separate agreements to engage in treatment.

7. Undersigned counsel has conferred with counsel for Plaintiff, who has indicated that Plaintiff assents to Harvard's request for leave to file these materials under seal.

WHEREFORE, Harvard respectfully requests that this Court grant its Motion and allow Harvard to file the aforementioned documents under seal.

Respectfully submitted,

**PRESIDENT AND FELLOWS OF
HARVARD COLLEGE,**

By its attorneys,



Victoria L. Steinberg (BBO #666482)

Melanie Stallone (BBO #711658)

CLOHERTY & STEINBERG LLP

One Financial Center, Suite 1120

Boston, MA 02111

617-481-0160

vsteinberg@clohertysteinberg.com

mstallone@clohertysteinberg.com

*Attorneys for Defendant President and
Fellows of Harvard College*

Dated: October 27, 2025

LOCAL RULE 7.1 CERTIFICATION

I hereby certify that, pursuant to Local Rule 7.1(a)(2), counsel for Defendant conferred with counsel for the Plaintiff, who indicated that Plaintiff assents to the relief requested herein.

/s/ Victoria L. Steinberg
Victoria L. Steinberg

CERTIFICATE OF SERVICE

I certify that on October 27, 2025, this document was filed through the ECF system and will be sent electronically to the registered participants as identified in the Notice of Electronic Filing.

/s/ Victoria L. Steinberg
Victoria L. Steinberg